

REMARKS

Each issue raised in the Office Action mailed September 14, 2005, is addressed herein. It is respectfully submitted that the rejection of Claims 1-45 as amended are overcome for reasons given herein.

SUMMARY OF REJECTIONS/OBJECTIONS

In the Office Action, Claims 1-45 are rejected.

Claims Rejections – 35 U.S.C. § 101

Claims 1-20 and 45 are rejected under 35 U.S.C § 101 because the claimed invention is directed to non-statutory subject matter. The cited claims detail a collaborative community of distributed electronic agents that make up a mobile computing environment. Therefore, the environments are software environments that are not tangible embodied and therefore non-statutory. Refer to M.P.E.P 2106 for further explanation.

Double Patenting

Claims 1-45 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-89 of U.S. Patent No. 5,851,115 in view of "Multimodal User Interfaces in the Open Agent Architecture" by MORAN.

Claims 1-45 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-47 and 49-56 of copending Application No. 09/271,614 in view of "Multimodal User Interfaces in the Open Agent Architecture" by MORAN.

APPLICANT'S RESPONSE TO EXANINER'S 35 USC 101 REJECTION:

It is respectfully submitted that Claims 1-20 and 45 meet at least the "new and useful process" requirement of 35 U.S.C. 101.

However, in the interest of expediting prosecution of the instant application, the claims are amended to include a "computer-implemented method" in the preamble.

APPLICANT'S RESPONSE TO OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION:

With respect to the double-patenting rejection of Claims 1-45 over U.S. Patent No. 5,851,115, the Applicants respectfully submit that such rejection is improper, as U.S. Patent No. 5,851,115 "Method and Arrangement for Collecting Data for Production of Replacement Dental Parts for the Human Body", is by a different inventive entity and directed to a different subject matter. The Applicants submit that the rejection should instead read "U.S. Patent No. 6,851,115" ("Software-based Architecture for Communication and Cooperation among Distributed Electronic Agents" to Cheyer et al., issued February 1, 2005).

With respect to Claims 1-45 of the instant application, a terminal disclaimer is being filed herewith with respect to U.S. Patent No. 6,851,115 in view of "Multimodal User Interfaces in the Open Agent Architecture" by MORAN, and is attached hereto.

APPLICANT'S RESPONSE TO PROVISIONAL OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION:

Since claims 1-47, 49-56 of co-pending Application No. 09/271,614 are allowed and for which the issue fee was paid on March 7, 2005, a terminal disclaimer is being filed herewith for Claims 1-45 of the instant application with respect to copending

Application No. 09/271,614 in view of "Multimodal User Interfaces in the Open Agent Architecture" by MORAN, and is attached hereto.

CONCLUSION

For at least the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4311.

The Commissioner is authorized to charge any fees due to Applicants' Deposit Account No. 50-2207.

Respectfully submitted,
Perkins Coie LLP



Carina M. Tan
Registration No. 45,769

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Correspondence Address:

Customer No. 22918
Perkins Coie LLP
P. O. Box 2168
Menlo Park, California 94026
(650) 838-4300